

BOIES, SCHILLER & FLEXNER LLP
RICHARD J. POCKER (NV Bar No. 3568)
300 South Fourth Street, Suite 800
Las Vegas, NV 89101
Telephone: (702) 382-7300
Facsimile: (702) 382-2755
rpocker@bsflp.com

BOIES, SCHILLER & FLEXNER LLP
STEVEN C. HOLTZMAN (*pro hac vice*)
FRED NORTON (*pro hac vice*)
KIERAN P. RINGGENBERG (*pro hac vice*)
1999 Harrison Street, Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000
Facsimile: (510) 874-1460
sholtzman@bsflp.com
fnorton@bsflp.com
kringgenberg@bsflp.com

BINGHAM McCUTCHEN LLP
GEOFFREY M. HOWARD (*pro hac vice*)
THOMAS S. HIXSON (*pro hac vice*)
KRISTEN A. PALUMBO (*pro hac vice*)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
geoff.howard@bingham.com
thomas.hixson@bingham.com
kristen.palumbo@bingham.com

DORIAN DALEY (*pro hac vice*)
DEBORAH K. MILLER (*pro hac vice*)
JAMES C. MAROULIS (*pro hac vice*)
ORACLE CORPORATION
500 Oracle Parkway, M/S 5op7
Redwood City, CA 94070
Telephone: 650.506.4846
Facsimile: 650.506.7114
dorian.daley@oracle.com
deborah.miller@oracle.com
jim.maroulis@oracle.com

Attorneys for Plaintiffs Oracle USA, Inc.,
Oracle America, Inc. and Oracle International
Corp.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**PLAINTIFFS ORACLE USA, INC.,
ORACLE AMERICA, INC., AND
ORACLE INTERNATIONAL
CORPORATION'S MOTION TO
SEAL EXHIBIT C TO JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT**

PLAINTIFFS' MOTION TO SEAL

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, Dkt. 55 ("Protective Order"), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation (together "Oracle" or "Plaintiffs") respectfully request that the Court order the Clerk of the Court to file under seal Exhibit C to the Joint Case Management Conference Statement ("Exhibit C"). Exhibit C was lodged under seal with the Court on May 13, 2011. *See* Dkt. 137.

Sealing Exhibit C is requested because the document contains information that Oracle has designated as "Confidential Information" and as "Highly Confidential Information – Attorneys' Eyes Only" under the terms of the Protective Order. The requested relief is necessary and narrowly tailored to protect the confidentiality of the commercially sensitive business information identified by Oracle, namely, information about Oracle's computer systems and information relating to the effects of certain types of improper activity on those systems. The Protective Order provides that: "Counsel for any Designating Party may designate any Discovery Material as 'Confidential Information' or 'Highly Confidential Information – Attorneys' Eyes Only' under the terms of this Protective Order **only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c).**" The designation by any Designating Party of any Discovery Material as 'Confidential Information' or 'Highly Confidential Information – Attorneys' Eyes Only' shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation." Protective Order ¶ 2 (emphasis supplied).

Thus, in identifying Exhibit C as containing Confidential and Highly Confidential material, Oracle as the designating party has represented that good cause exists for sealing Exhibit C. This is a sufficient showing of good cause to permit a sealing order on a non-dispositive motion. *See, e.g., Pacific Gas and Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

1 The parties have submitted all other materials in the Case Management Conference
2 Statement filed May 13, 2011, for filing in the Court's public files, which would allow public
3 access to the filings except for Oracle's discovery response that contains information designated
4 as Confidential and Highly Confidential. Accordingly, the request to seal is narrowly tailored.

5 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
6 exists to file under seal Exhibit C.

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8 DATED: May 13, 2011

BINGHAM McCUTCHEN LLP

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11 By: /s/ Geoffrey M. Howard
12 Geoffrey M. Howard
13 Attorneys for Plaintiffs
14 Oracle USA, Inc., Oracle America, Inc.,
15 and Oracle International Corp.
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 FRED NORTON (*pro hac vice*)
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 Oakland, CA 94612
 Telephone: (510) 874-1000
 Facsimile: (510) 874-1460
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 Three Embarcadero Center
 San Francisco, CA 94111-4067
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 Facsimile: 415.393.2286
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 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
dorian.daley@oracle.com
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jim.maroulis@oracle.com

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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
 ORACLE AMERICA, INC., a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**ORDER GRANTING
 PLAINTIFFS ORACLE USA, INC.,
 ORACLE AMERICA, INC., AND
 ORACLE INTERNATIONAL
 CORPORATION'S MOTION TO
 SEAL EXHIBIT C TO JOINT CASE
 MANAGEMENT CONFERENCE
 STATEMENT**

[PROPOSED] ORDER

Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation's Motion to Seal Exhibit C to the Joint Case Management Conference Statement ("Plaintiffs' Motion to Seal"). *See* Dkt. 137. Federal Rule of Civil Procedure 26(c) provides broad discretion for a trial court to permit sealing of court documents for, inter alia, the protection of "a trade secret or other confidential research, development, or commercial information." Fed. R. Civ. P. 26(c). Having considered Plaintiffs' Motion to Seal, compelling reasons having been shown and good cause existing:

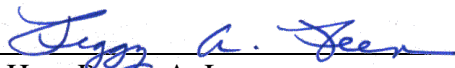
IT IS HEREBY ORDERED THAT: Plaintiffs' Motion to Seal is GRANTED.

The Clerk of the Court shall file under seal the Exhibit C to the Joint Case Management Conference Statement.

IT IS SO ORDERED.

DATED: May 18, 2011

By:


Hon. Peggy A. Leen
United States Magistrate Judge